

# Nelson Mullins

Nelson Mullins Riley & Scarborough LLP

Attorneys and Counselors at Law

1320 Main Street / 17th Floor / Columbia, SC 29201

Tel: 803.799.2000 Fax: 803.255.9030

www.nelsonmullins.com

SECRETARY OF THE SENATE

09 FEB 18 AM 11:07

Thad H. Westbrook

Tel: 803.255.5568

Fax: 803.255.9088

thad.westbrook@nelsonmullins.com

February 12, 2009

Ms. Lauren Lien  
Campaign Finance Analyst  
Federal Election Commission  
Washington, DC 20463

RE: Letters inquiring about 2008 October Quarterly Report (7/1/08-9/30/08), 12-Day Pre-General Report (10/1/08-10/15/08), and 30-Day Post-General Report (10/16/08-11/24/08)

Dear Ms. Lien:

Thank you for your correspondence of January 13, 2009. As the new Treasurer for Lindsey Graham for Senate (ID C00364505), I have studied the committee's reports in order to answer your questions. Our responses are below:

October Quarterly Report (7/1/08-9/30/08)

1. The transfer of \$3,133.30 on 9/29/08 from the 2008 Senators' Classic Committee should have included three itemized memo entries on Schedule A. It was our committee's intention to include them in the original report, but the memo items were entered incorrectly in our compliance software and did not print on the report as anticipated. Enclosed is an amended report that includes the itemized memo entries.
2. The totals in our Column B figures were incorrect because of an error in 2007 that carried forward through 2008. We mistakenly reported a receipt of \$3,000.00 from Bechtel PAC on 8/12/07 that appeared on the most recent amended version of the 2007 October 15 Quarterly Report. While this check was entered in our compliance software, we never deposited it in our bank account. The contribution was returned to the sender because the amount would have exceeded the Primary 2008 limit and presumptive redesignation is not allowed for donations from PACs. While we returned the check, the record of the contribution remained in our software for several months until it was discovered and removed.

This \$3,000.00 error caused discrepancies in Column B for Lines 6(a), 6(c), 11(c), 11(e) and 16 beginning with the 2007 October 15 Quarterly Report. Enclosed are all amended reports affected by this mistake.

3. The previous version of this report mistakenly omitted two interest payments on Schedule A and Line 15 of the Summary Page. The enclosed amended report includes the following:
  - Receipt of \$1,966.07 in interest from BB&T on 8/29/08
  - Receipt of \$2,273.25 in interest from BB&T on 9/30/08

12-Day Pre-General Report (10/1/08-10/15/08)

1. Please see the above explanation as to why the totals for Column B were incorrect. Enclosed is an amended 12-Day Pre-General Report.

30-Day Post-General Report (10/16/08-11/24/08)

1. Please see the above explanation as to why the totals for Column B were incorrect. Enclosed is an amended 30-Day Post-General Report.
- 2a. The contribution from John Boyd on 10/16/08 for \$1,000 was made on-line via a credit card. When individuals go to our website and make a donation, our credit card vendor deposits the money in their account and sends via check a lump sum amount of all of the donations made within a specific date range—usually at the end of each month. Upon receiving the lump sum check, a staff member downloads a corresponding spreadsheet that contains all of the contribution information and enters the appropriate data in our compliance software.

During the 48-hour notice period, we adjusted our normal routine to include checking with our vendor daily for new contributions each evening and immediately reporting any over \$1,000. It appears that the contribution from John Boyd was made late at night after we had already checked for contributions that day and was not included in the report the next day. The narrow window of time between checking for contributions and midnight allowed for a contribution to slip through that should have been reported on a 48-hour notice.

- 2b. The contribution from TACO PAC for \$2,000 was received by an agent of the campaign on 10/31/08 and forwarded to the campaign office for processing. The check arrived at the office after the election and was deposited immediately. Since the election was already over by then, we did not file a 48-hour notice.

In the future, we will adjust our procedures to ensure that agents of the campaign provide the appropriate information immediately upon receiving a contribution so we can file the 48-hour notices as required. We will also run reports from our credit card vendor that

29020110120

include multiple days to eliminate any window of time for a contribution to be made after the report has been run.

Other Items in Enclosed Amended Reports

2008 July 15 Quarterly Report (5/22/08-6/30/08)

The previous version of this report included several entries on Schedule A for interest received that were incorrectly attributed to the General Election. The enclosed amended report has correctly attributed the interest to the Primary Election.

- \$354.96 on 5/29/08 from BB&T
- \$4,324.72 on 5/29/08 from BB&T
- \$573.20 on 5/30/08 from BB&T

We mistakenly reported two contributions on Schedule A from Michele McMorran on 5/29/08 for \$2,300. There was only one contribution of \$2,300, so the duplicate entry has been removed.

If you have any questions or need any additional information, please contact me at (803) 255-5568.

With kind regards, I am,

Sincerely,



Thad H. Westbrook  
Treasurer

Enclosure

20020110121

**FEC  
FORM 3**

**REPORT OF RECEIPTS  
AND DISBURSEMENTS**

For An Authorized Committee

SECRETARY OF THE SENATE  
09 FEB 18 AM 11:15

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

Lindsey Graham for Senate

ADDRESS (number and street) P.O. Box 1801

☐ Check if different than previously reported. (ACC)

Columbia

SC

29202

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

STATE DISTRICT

C00364505

3. IS THIS REPORT

☐

NEW (N)

OR

☒

AMENDED (A)

SC

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

☐

April 15 Quarterly Report (Q1)

☐

July 15 Quarterly Report (Q2)

☒

October 15 Quarterly Report (Q3)

☐

January 31 Year-End Report (YE)

☐

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

☐

Primary (12P)

☐

General (12G)

☐

Runoff (12R)

☐

Convention (12C)

☐

Special (12S)

Election on

in the State of

(c) 30-Day POST-Election Report for the:

☐

General (30G)

☐

Runoff (30R)

☐

Special (30S)

Election on

in the State of

5. Covering Period

07

01

2008

through

09

30

2008

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Thad H. Westbrook

Signature of Treasurer

Electronically Filed by Thad H. Westbrook

Date

02

13

2009

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office  
Use  
Only

**FEC FORM 3**

(Revised 02/2003)

FE5AN018

29020110122

**SUMMARY PAGE**

of Receipts and Disbursements

FEC Form 3 (Revised 02/2003)

Page 2

Write or Type Committee Name

Lindsey Graham for Senate

Report Covering the Period:

From:

M M  
0 7D D  
0 1Y Y Y Y  
2 0 0 8

To:

M M  
0 9D D  
3 0Y Y Y Y  
2 0 0 8**COLUMN A  
This Period****COLUMN B  
Election Cycle-to-Date****6. Net Contributions (other than loans)**(a) Total Contributions  
(other than loans) (from Line 11(e)).....

319870.00

8184830.14

(b) Total Contribution Refunds  
(from Line 20(d)).....

17360.00

116635.55

(c) Net Contributions (other than loans)  
(subtract Line 6(b) from Line 6(a)).....

302510.00

8068194.59

**7. Net Operating Expenditures**(a) Total Operating Expenditures  
(from Line 17).....

233923.77

4563693.24

(b) Total Offsets to Operating  
Expenditures (from Line 14).....

1751.03

146709.16

(c) Net Operating Expenditures  
(subtract Line 7(b) from Line 7(a)).....

232172.74

4416984.08

**8. Cash on Hand at Close of  
Reporting Period (from Line 27).....**

3797632.76

**9. Debts and Obligations Owed TO  
the Committee (Itemize all on  
Schedule C and/or Schedule D).....**

0.00

**10. Debts and Obligations Owed BY  
the Committee (Itemize all on  
Schedule C and/or Schedule D).....**

0.00

**For further information contact:**Federal Election Commission  
999 E Street, NW  
Washington, DC 20463  
Toll Free 800-424-9530  
Local 202-694-1100

FE5AN018

29020110123

# **DETAILED SUMMARY PAGE** of Receipts

FEC Form 3 (Revised 12/2003)

Page 3

Write or Type Committee Name  
Lindsey Graham for Senate

Report Covering the Period:

From:

M M D D Y Y Y Y  
0 7 0 1 2 0 0 8

To:

M M D D Y Y Y Y  
0 9 3 0 2 0 0 8

## **I. RECEIPTS**

**COLUMN A**  
Total This Period

**COLUMN B**  
Election Cycle-to-Date

### **11. CONTRIBUTIONS (other than loans) FROM:**

(a) Individuals/Persons Other Than  
Political Committees

(i) Itemized (use Schedule A).....

221015.00

6130115.76

(ii) Unitemized.....

5905.00

232102.66

(iii) TOTAL of contributions

from individuals..... ▶

226920.00

6362218.42

(b) Political Party Committees.....

500.00

28950.00

(c) Other Political Committees  
(such as PACS).....

92450.00

1793661.72

(d) The Candidate.....

0.00

0.00

(e) TOTAL CONTRIBUTIONS

(other than loans)

(add Lines 11(a)(iii), (b), (c), and (d))

319870.00

8184830.14

### **12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES.....**

7814.91

212071.32

### **13. LOANS**

(a) Made or Guaranteed by the  
Candidate.....

0.00

0.00

(b) All Other Loans.....

0.00

0.00

(c) TOTAL LOANS

(add Lines 13(a) and (b)).....

0.00

0.00

### **14. OFFSETS TO OPERATING EXPENDITURES**

(Refunds, Rebates, etc.).....

1751.03

146709.16

### **15. OTHER RECEIPTS**

(Dividends, Interest, etc.).....

26292.94

387916.45

### **16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15)**

(Carry Total to Line 24, page 4)..... ▶

355728.88

8931527.07

# **DETAILED SUMMARY PAGE** of Disbursements

FEC Form 3 (Revised 02/2003)

Page 4

## **II. DISBURSEMENTS**

### **COLUMN A** Total This Period

### **COLUMN B** Election Cycle-to-Date

17. OPERATING EXPENDITURES.....

233923.77

4563693.24

18. TRANSFERS TO OTHER  
AUTHORIZED COMMITTEES.....

0.00

14990.00

19. LOAN REPAYMENTS:

(a) Of Loans Made or Guaranteed  
by the Candidate.....

0.00

0.00

(b) Of all Other Loans.....

0.00

0.00

(c) TOTAL LOAN REPAYMENTS  
(add Lines 19(a) and (b)).....

0.00

0.00

20. REFUNDS OF CONTRIBUTIONS TO:

(a) Individuals/Persons Other  
Than Political Committees.....

16060.00

101148.75

(b) Political Party Committees.....

0.00

0.00

(c) Other Political Committees  
(such as PACs).....

1300.00

15486.80

(d) TOTAL CONTRIBUTION REFUNDS  
(add Lines 20(a), (b), and (c)).....

17360.00

116635.55

21. OTHER DISBURSEMENTS.....

0.00

570822.00

22. TOTAL DISBURSEMENTS  
(add Lines 17, 18, 19(c), 20(d), and 21) ➤

251283.77

5266140.79

## **III. CASH SUMMARY**

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....

3693187.65

24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page3).....

355728.88

25. SUBTOTAL (add Line 23 and Line 24).....

4048916.53

26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....

251283.77

27. CASH ON HAND AT CLOSE OF REPORTING PERIOD  
(subtract Line 26 from Line 25).....

3797632.76

**SCHEDULE A (FEC Form 3 )**  
**ITEMIZED RECEIPTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER:  
(check only one)

PAGE 99 / 179

☐ 11a ☐ 11b ☐ 11c ☐ 11d  
☒ 12 ☐ 13a ☐ 13b ☐ 14 ☐ 15

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NAME OF COMMITTEE (In Full)  
Lindsey Graham for Senate

A.

Full Name (Last, First, Middle Initial)

Wilson P. Smith, Jr.

Mailing Address PO Box 4688

City

Spartanburg

State

SC

Zip Code

29305-4688

FEC ID number of contributing  
federal political committee.

C

Name of Employer  
Self-Employed

Occupation  
Physician

Receipt For: 2008  
☒ Primary ☐ General  
☐ Other (specify) ▼

Election Cycle-to-Date ▼

1500.00

Date of Receipt

09 / 30 / 2008

Transaction ID: C61497

Amount of Each Receipt this Period

250.00

Transfer Memo

☐ Limit Increased Due to Opponent's  
Spending (2 U.S.C. 441a(i)/441a-1)

[MEMO ITEM]

GRAHAM VICTORY 2008

B.

Full Name (Last, First, Middle Initial)

Mona Lisa Wallace

Mailing Address 1101 Sumter Ct

City

Salisbury

State

NC

Zip Code

28144-2868

FEC ID number of contributing  
federal political committee.

C

Name of Employer  
Wallace & Graham

Occupation  
Attorney

Receipt For: 2008  
☒ Primary ☐ General  
☐ Other (specify) ▼

Election Cycle-to-Date ▼

3000.00

Date of Receipt

09 / 30 / 2008

Transaction ID: C61494

Amount of Each Receipt this Period

2300.00

Transfer Memo

☐ Limit Increased Due to Opponent's  
Spending (2 U.S.C. 441a(i)/441a-1)

[MEMO ITEM]

GRAHAM VICTORY 2008

C.

Full Name (Last, First, Middle Initial)

2008 Senators Classic Committee

Mailing Address 228 S Washington St Ste 115

City

Alexandria

State

VA

Zip Code

22314-5404

FEC ID number of contributing  
federal political committee.

C C00449850

Name of Employer

Occupation

Receipt For: 2008  
☐ Primary ☒ General  
☐ Other (specify) ▼

Election Cycle-to-Date ▼

3133.30

Date of Receipt

09 / 29 / 2008

Transaction ID: C61442

Amount of Each Receipt this Period

3133.30

Transfers From Affil./Aut-  
h.

☐ Limit Increased Due to Opponent's  
Spending (2 U.S.C. 441a(i)/441a-1)

SUBTOTAL of Receipts This Page (optional) .....

3133.30

TOTAL This Period (last page this line number only) .....



**SCHEDULE A (FEC Form 3 )**  
**ITEMIZED RECEIPTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER: PAGE 100 / 179

(check only one)

☐ 11a ☐ 11b ☐ 11c ☐ 11d  
☒ 12 ☐ 13a ☐ 13b ☐ 14 ☐ 15

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NAME OF COMMITTEE (In Full)

Lindsey Graham for Senate

A.

Full Name (Last, First, Middle Initial)

US Team PAC

Mailing Address 100 W Putnam Ave

City

Greenwich

State

CT

Zip Code

06830-5342

FEC ID number of contributing  
federal political committee.

C

C00104851

Name of Employer

Occupation

Receipt For: 2008

☐ Primary

☒ General

☐ Other (specify) ▼

Election Cycle-to-Date ▼

9000.00

Date of Receipt

MM / DD / YYYY  
09 / 29 / 2008

Transaction ID: C61447

Amount of Each Receipt this Period

1000.00

Transfer Memo

☐ Limit Increased Due to Opponent's  
Spending (2 U.S.C. 441a(i)/441a-1)

[MEMO ITEM]

2008 SENATORS CLASSIC COM-  
MITTEE

B.

Full Name (Last, First, Middle Initial)

Anheuser-Busch PAC

Mailing Address 1401 I St NW

City

Washington

State

DC

Zip Code

20005-3700

FEC ID number of contributing  
federal political committee.

C

C00034488

Name of Employer

Occupation

Receipt For: 2008

☐ Primary

☒ General

☐ Other (specify) ▼

Election Cycle-to-Date ▼

7000.00

Date of Receipt

MM / DD / YYYY  
09 / 29 / 2008

Transaction ID: C61444

Amount of Each Receipt this Period

2000.00

Transfer Memo

☐ Limit Increased Due to Opponent's  
Spending (2 U.S.C. 441a(i)/441a-1)

[MEMO ITEM]

2008 SENATORS CLASSIC COM-  
MITTEE

C.

Full Name (Last, First, Middle Initial)

American Dental PAC

Mailing Address 1111 14th St NW Ste 1100

City

Washington

State

DC

Zip Code

20005-5627

FEC ID number of contributing  
federal political committee.

C

C00000729

Name of Employer

Occupation

Receipt For: 2008

☐ Primary

☒ General

☐ Other (specify) ▼

Election Cycle-to-Date ▼

9500.00

Date of Receipt

MM / DD / YYYY  
09 / 29 / 2008

Transaction ID: C61445

Amount of Each Receipt this Period

2000.00

Transfer Memo

☐ Limit Increased Due to Opponent's  
Spending (2 U.S.C. 441a(i)/441a-1)

[MEMO ITEM]

2008 SENATORS CLASSIC COM-  
MITTEE

SUBTOTAL of Receipts This Page (optional) .....

0.00

TOTAL This Period (last page this line number only) .....

7814.91

# SCHEDULE A (FEC Form 3 ) ITEMIZED RECEIPTS

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER: PAGE 102 / 179

(check only one)

☐ 11a ☐ 11b ☐ 11c ☐ 11d  
☐ 12 ☐ 13a ☐ 13b ☐ 14 ☒ 15

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NAME OF COMMITTEE (In Full)

Lindsey Graham for Senate

A.

Full Name (Last, First, Middle Initial)

BB&T

Mailing Address 1901 Assembly Street

City

Columbia

State

SC

Zip Code

29201-

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For: 2008

☐ Primary ☒ General

☐ Other (specify) ▼

Election Cycle-to-Date ▼

274301.64

Date of Receipt

MM / DD / YYYY  
07 / 31 / 2008

Transaction ID: C61610

Amount of Each Receipt this Period

551.92

Interest Received

☐ Limit Increased Due to Opponent's  
Spending (2 U.S.C. 441a(i)/441a-1)

B.

Full Name (Last, First, Middle Initial)

BB&T

Mailing Address 1901 Assembly Street

City

Columbia

State

SC

Zip Code

29201-

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For: 2008

☐ Primary ☒ General

☐ Other (specify) ▼

Election Cycle-to-Date ▼

278422.34

Date of Receipt

MM / DD / YYYY  
08 / 01 / 2008

Transaction ID: C61612

Amount of Each Receipt this Period

4120.70

Interest Received

☐ Limit Increased Due to Opponent's  
Spending (2 U.S.C. 441a(i)/441a-1)

C.

Full Name (Last, First, Middle Initial)

BB&T

Mailing Address 1901 Assembly Street

City

Columbia

State

SC

Zip Code

29201-

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For: 2008

☐ Primary ☒ General

☐ Other (specify) ▼

Election Cycle-to-Date ▼

280388.41

Date of Receipt

MM / DD / YYYY  
08 / 29 / 2008

Transaction ID: 90213.C61901

Amount of Each Receipt this Period

1966.07

Interest Received

☐ Limit Increased Due to Opponent's  
Spending (2 U.S.C. 441a(i)/441a-1)

SUBTOTAL of Receipts This Page (optional) .....

6638.69

TOTAL This Period (last page this line number only) .....

**SCHEDULE A (FEC Form 3 )**  
**ITEMIZED RECEIPTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER: PAGE 103 / 179

(check only one)

☐ 11a ☐ 11b ☐ 11c ☐ 11d  
☐ 12 ☐ 13a ☐ 13b ☐ 14 ☒ 15

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NAME OF COMMITTEE (In Full)

Lindsey Graham for Senate

A.

Full Name (Last, First, Middle Initial)

BB&T

Mailing Address 1901 Assembly Street

City

Columbia

State

SC

Zip Code

29201-

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For: 2008

☐ Primary ☒ General

☐ Other (specify) ▼

Election Cycle-to-Date ▼

280994.17

Date of Receipt

MM / DD / YYYY  
08 / 29 / 2008

Transaction ID: C61611

Amount of Each Receipt this Period

605.76

Interest Received

☐ Limit Increased Due to Opponent's  
Spending (2 U.S.C. 441a(i)/441a-1)

B.

Full Name (Last, First, Middle Initial)

BB&T

Mailing Address 1901 Assembly Street

City

Columbia

State

SC

Zip Code

29201-

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For: 2008

☐ Primary ☒ General

☐ Other (specify) ▼

Election Cycle-to-Date ▼

281647.30

Date of Receipt

MM / DD / YYYY  
09 / 30 / 2008

Transaction ID: C61614

Amount of Each Receipt this Period

653.13

Interest Received

☐ Limit Increased Due to Opponent's  
Spending (2 U.S.C. 441a(i)/441a-1)

C.

Full Name (Last, First, Middle Initial)

BB&T

Mailing Address 1901 Assembly Street

City

Columbia

State

SC

Zip Code

29201-

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For: 2008

☐ Primary ☒ General

☐ Other (specify) ▼

Election Cycle-to-Date ▼

283920.55

Date of Receipt

MM / DD / YYYY  
09 / 30 / 2008

Transaction ID: 90213.C61902

Amount of Each Receipt this Period

2273.25

Interest Received

☐ Limit Increased Due to Opponent's  
Spending (2 U.S.C. 441a(i)/441a-1)

SUBTOTAL of Receipts This Page (optional)

3532.14

TOTAL This Period (last page this line number only)

29020110130

Lindsey Graham for Senate  
PO Box 1801  
Columbia, SC 29202



7007 3020 0000 9375 2661



0000



22301

U.S. POSTAGE  
PAID  
COLUMBIA, SC  
29201  
FEB 13, 09  
AMOUNT

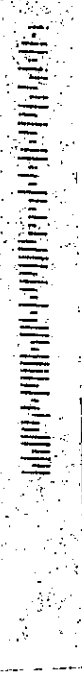
\$7.26

00039324-16

**X-RAYED  
IN THE SENATE  
POST OFFICE**

OFFICE OF PUBLIC RECORDS  
P.O. BOX 5109  
ALEXANDRIA, VA 22301-0109

*[Handwritten signature]*



# United States Senate

OFFICE OF THE SECRETARY

OFFICE OF PUBLIC RECORDS

THE PRECEDING DOCUMENT WAS:

HAND DELIVERED \_\_\_\_\_

Date of Receipt

USPS FIRST CLASS MAIL \_\_\_\_\_

Postmark

USPS REGISTERED/CERTIFIED \_\_\_\_\_

Postmark

2-13-09

USPS PRIORITY MAIL \_\_\_\_\_

Postmark

DELIVERY CONFIRMATION OR SIGNATURE CONFIRMATION LABEL ☐

USPS EXPRESS MAIL \_\_\_\_\_

Postmark

## OVERNIGHT DELIVERY SERVICE:

SHIPPING DATE

NEXT BUSINESS DAY DELIVERY

FEDERAL EXPRESS \_\_\_\_\_

☐

UPS \_\_\_\_\_

☐

DHL \_\_\_\_\_

☐

AIRBORNE EXPRESS \_\_\_\_\_

☐

RECEIVED FROM FEDERAL ELECTION COMMISSION \_\_\_\_\_

Date of Receipt

POSTMARK ILLEGIBLE ☐

NO POSTMARK ☐

FAX \_\_\_\_\_

Date of Receipt

OTHER \_\_\_\_\_

Date of Receipt or Postmark

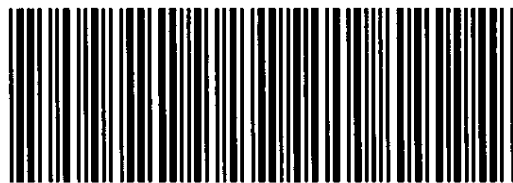
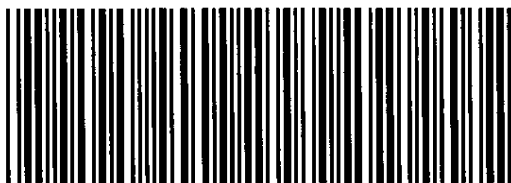
PREPARER

DH

DATE PREPARED

2-18-09

20020110131



29020110132